



**Genesis 1 Engineering Company**  
 (T.B.P.E. Registered Firm # F-2565)  
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**Consulting Engineer**  
**6104 South First Street, Suite 105**  
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**(512) 899-2246 (Office), (512) 899-2203 Fax**  
**E-mail: [REDACTED]**

## **ENGINEERS REPORT**

December 10, 2020

Permit Partners, LLC  
 C/O Mr. David Cancialosi  
 300 E. Highland Mall Boulevard, Suite 207  
 Austin, Texas 78752  
 (512) 593-5361 Office

**Subject: Evaluation of Structural Framing of Residential Structure @ 3707  
 Rivercrest Drive, Austin, Texas 78746  
 Legal Description: Lot 21A-Block D, Resub of Lot 66, Block A & Lot  
 21, Block D, Rivercrest Subdivision, Section 2**

### **Existing Residential Wood Frame Structure Evaluation:**

I visited the jobsite on November 05, 2020 and December 09, 2020 at the request of Mr. Daniel Reeves, Project Manager. After arriving at the site, I reconnoitered the area of the two-story structure, and here are my observations:

1. The property has a City of Austin Zoning Classification of Lake Austin (LA), and according to public records, the structure does not meet the LA Zoning building setback requirements
2. The single-story wood frame structure was built circa 1980, and it has approximate living area of 1,056.0 square feet
3. The existing On-Site Sewerage (OSSF), as permitted by the City of Austin, has its OSSF drain field components installed underneath the foundation of the existing residence. Texas Commission on Environmental Quality (TCEQ) Chapter 285-OSSF Rules, does not permit the installation of the OSSF drain field within five (5) feet of the existing structure, and much less underneath the concrete foundation of the residential structure. The existence of the subterranean drain field underneath the foundation is of concern due to the fact the excess effluent moisture would affect adversely the performance of the structure's concrete foundation
4. At the north exterior wall there is evidence of damage of moisture penetration at the upper western portion of this wall


Existing Residential Structural Framing Evaluation  
December 10, 2020  
Page 2 of 2

5. There is considerable damage and decay to the upper wooden deck assembly at the rear landscaped area of the residence
6. I did not evaluate other areas of the property or structure

**Conclusion:**

1. The zoning and OSSF non-compliance factors are not in compliance with the TCEQ Chapter 285 OSSF Rules and the City of Austin adopted 2015 Edition of the International Residential Code, and it would not be feasible to retrofit the wooden framed structure to make it code compliant. Therefore, it is the opinion of this evaluator that the wooden framed structure should be removed and lawfully dispose off-site.

This report was prepared by:

  
George A. Gonzalez Jr., PE  
Tx. Registration No. 78329  
Genesis 1 Engineering  
Austin, Texas  
TBPE Firm Reg. #F-2565



12/10/20

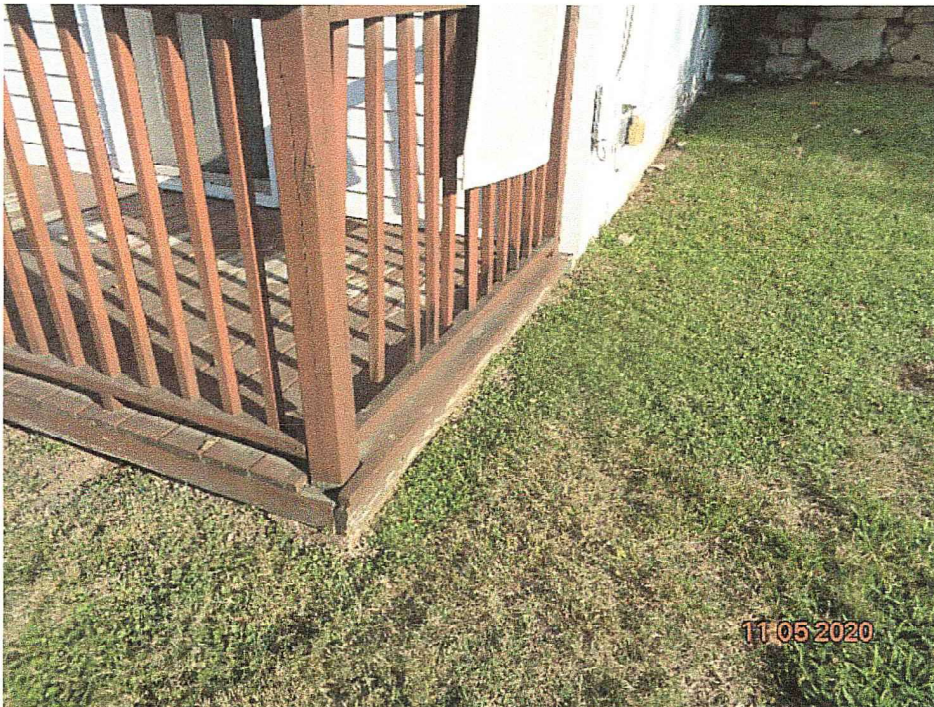
**APPENDIX 1.0**

**PHOTO LOG OF SELECTED PHOTOGRAPHS**



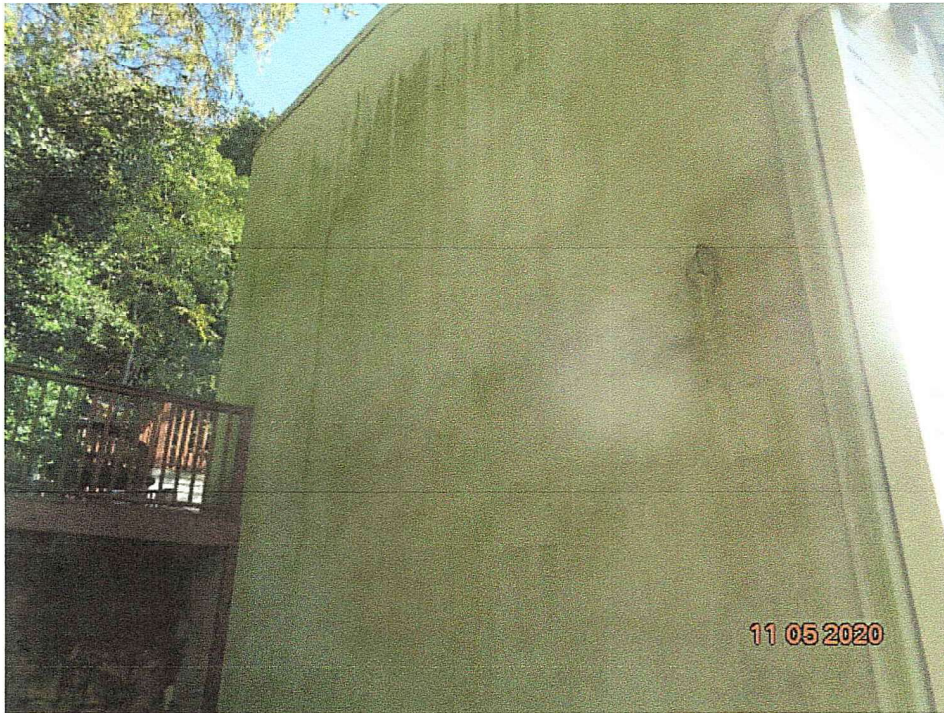


Photograph No. 01-view looking in a northeast direction at front of the existing residence. Note damage guard rail at left side of photograph



Photograph No. 02-View looking downward in a northeasterly direction at the damage front porch deck. Photograph denotes damage to the wooden handrail and exposed deck elements





Photograph No. 03-view looking upward in a southeasterly direction at the two-story masonry constructed exterior north wall of the residence, Surface of façade shows extensive mold and mildew buildup and apparent wall penetration at center right of photograph

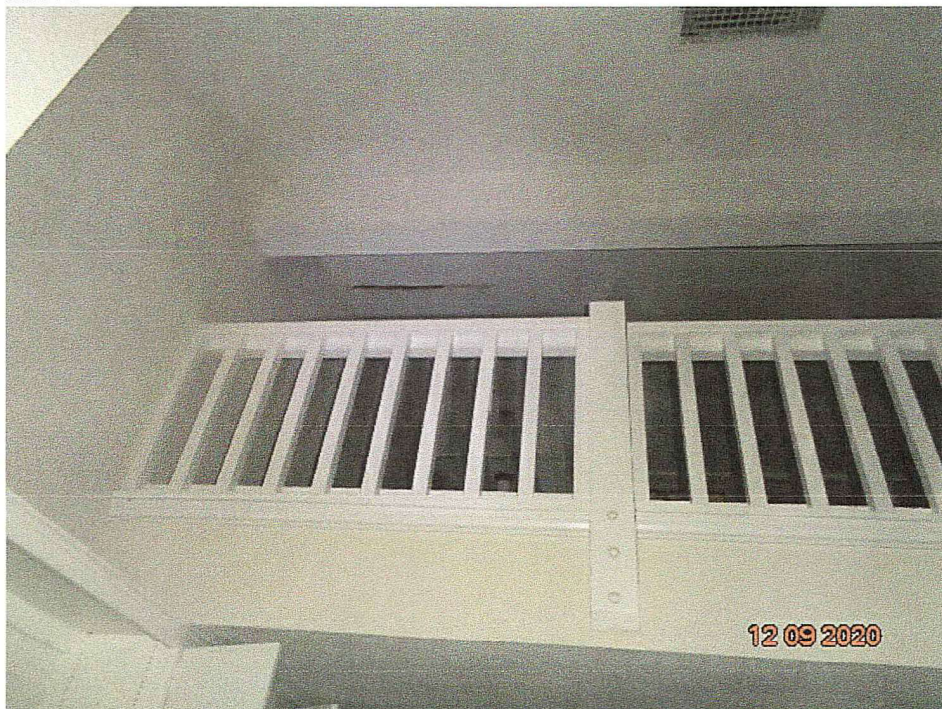


Photograph No. 04-view looking downward in an easterly direction of the upper level wooden exposed deck, Note damage to floor surface decking at center of photograph





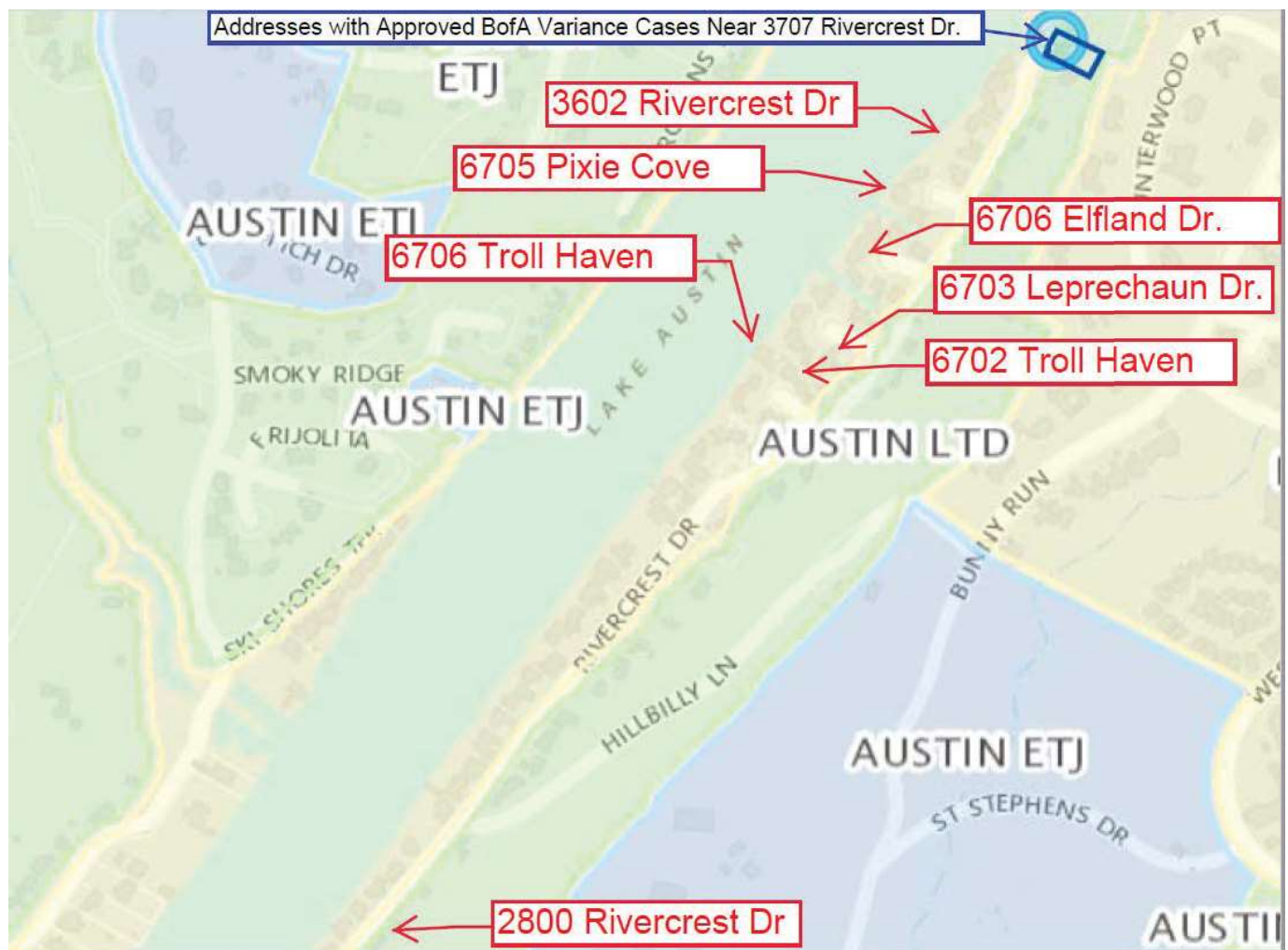
Photograph No. 05-View looking in a northwesterly direction at interior portion the exterior wall at the upper level where the water intrusion was noted in Photograph No. 03 above



Photograph No. 06-view looking upper at second level loft at rear side of residence where it appears to have roof moisture leak at ceiling at center of photograph



Approved BoA Cases Nearby					
	Permit/Case No	Address	Requested Variance	Granted	Date of Approval
1	2019-000023 BA	2800 Rivercrest Dr	25-2-551(C)(3)(a)	Yes	5/13/2019
2	2017-000047 BA	3602 Rivercrest Dr	25-2-1176(a)(1)	Yes	5/13/2019
3	2015-069435 BA	6706 Elfland Dr Bldg BD	25-2-1176(a)((A)(5)	Yes	11/9/2015
4			25-2-893(G)(4)	Yes	11/9/2015
5	2018-000006 BA	6705 Pixie Cove	25-2-551(C)(3)(a)	Yes	7/9/2018
6			25-2-551 (B)(1)(b)	Yes	7/9/2018
7	2010-000118 BA	6706 Troll Haven	25-2-551(D)(1)(B)	Yes	11/8/2010
8	2008-000074 BA	6702 Troll Haven	25-2-551(D)(3)(a)	Yes	6/9/2008
9			25-2-551(2)	Yes	6/9/2008
10	2013-000027 BA	6703 Leprechaun Dr	25-2-551(D)(3)(a)	Yes	5/13/2013





**CITY OF AUSTIN  
Board of Adjustment  
Decision Sheet**

**DATE: Monday May 13, 2019**

**CASE NUMBER: C15-2019-0026**

<input checked="" type="checkbox"/>	Y	Ada Corral
<input checked="" type="checkbox"/>	Y	William Burkhardt
<input checked="" type="checkbox"/>	Y	Darryl Pruett
<input checked="" type="checkbox"/>	Y	Eric Goff
<input checked="" type="checkbox"/>	Y	Melissa Hawthorne
<input checked="" type="checkbox"/>	Y	Yasmine Smith
<input checked="" type="checkbox"/>	Y	Don Leighton-Burwell
<input checked="" type="checkbox"/>	Y	Rahm McDaniel
<input type="checkbox"/>	-	Martha Gonzalez (Alternate)
<input checked="" type="checkbox"/>	Y	Veronica Rivera
<input checked="" type="checkbox"/>	Y	Jessica Cohen
<input checked="" type="checkbox"/>	Y	Michael Von Ohlen
<input type="checkbox"/>	-	Kelly Blume (Alternate)
<input type="checkbox"/>	-	Alternate (Vacant)

**APPLICANT: Jay Dupont**

**OWNER: Melissa Wise**

**ADDRESS: 2800 RIVERCREST DR**

**VARIANCE REQUESTED:** The applicant has requested variance(s) to Section 25-2-551 (Lake Austin District Regulations) (C) (3) (a) to increase the maximum impervious cover on a slope with a gradient of 15 percent or less from 35 percent (required, permitted) to 41 percent (requested) in order to remodel and provide an addition to a single family residence in a "LA", Lake Austin zoning district.

**Note:** This section of the Land Development Code applies to lots that are included in a subdivision plat recorded before April 22, 1982 or on a tract that is not required to be platted.

**BOARD'S DECISION: MAY 13, 2019 BOA MEETING** The public hearing was closed by Chair William Burkhardt, Board Member Michael Von Ohlen motion to Grant, Board Member Melissa Hawthorne second on an 11-0 vote; **GRANTED.**

**EXPIRATION DATE: May 13, 2020**

**FINDING:**

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: the tract is zoned LA and can be developed under section 25-2-551, this is an irregular shaped, small lot and does not meet the minimum lot size for LA zoning,

this property was platted long before the LA regulations were adopted and thus qualifies for legal lot status.

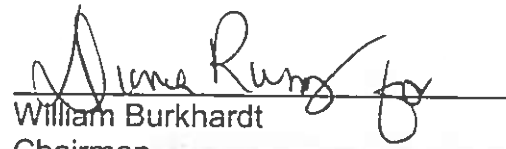
2. (a) The hardship for which the variance is requested is unique to the property in that: the majority of the lots in this subdivision are larger and allow for more site area to be calculated in the impervious cover calculations, being a small lot that was platted prior to the regulations, and the 2004 construction (under a 2004 variance) the existing development has "legal non-complying" status and thus regulated by 25-2-963, "remodel ordinance" if additions to the property are desired.

(b) The hardship is not general to the area in which the property is located because: the slightly irregular shape of the lot is one of the smallest lots in the subdivision, it cannot meet the LA site development regulations due to its size, minimum lot size for LA zoning is 1 acre, (43,560 sq.ft) this is .26 acres, approximately 75% smaller than current zoning regulations.

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because: all other adjacent properties are developed as single family, the remodel/additions will be consistent with what is already developed and conform to all other sections of the ordinances that govern this property.



Elaine Ramirez  
Executive Liaison



William Burkhardt  
Chairman

**CITY OF AUSTIN  
Board of Adjustment  
Decision Sheet**

**DATE: Monday May 13, 2019**

**CASE NUMBER: C15-2017-0047**

<input checked="" type="checkbox"/>	Y	Ada Corral
<input checked="" type="checkbox"/>	Y	William Burkhardt
<input checked="" type="checkbox"/>	Y	Darryl Pruett
<input checked="" type="checkbox"/>	Y	Eric Goff
<input checked="" type="checkbox"/>	Y	Melissa Hawthorne
<input checked="" type="checkbox"/>	Y	Yasmine Smith
<input checked="" type="checkbox"/>	Y	Don Leighton-Burwell
<input checked="" type="checkbox"/>	Y	Rahm McDaniel
<input type="checkbox"/>	-	Martha Gonzalez (Alternate)
<input checked="" type="checkbox"/>	Y	Veronica Rivera
<input checked="" type="checkbox"/>	Y	Jessica Cohen
<input checked="" type="checkbox"/>	Y	Michael Von Ohlen
<input type="checkbox"/>	-	Kelly Blume (Alternate)
<input type="checkbox"/>	-	Alternate (Vacant)

**APPLICANT: Janis Smith, P.E.**

**OWNER: Ryan Dumont**

**ADDRESS: 3602 RIVERCREST DR**

**VARIANCE REQUESTED:** The applicant has requested variance(s) from Section 25-2-1176 (Site Development Regulations for Docks, Marinas, and Other Lakefront Uses) (A) (1) to increase the distance a dock may extend from the shoreline from 30 feet (required/permitted) to 60 feet (requested) in order to construct a new dock in an "LA", Lake Austin zoning district.

**BOARD'S DECISION:** Sept 18, 2017 POSTPONED TO NOVEMBER 13, 2017 BY APPLICANT; November 13, 2017 POSTPONED TO DECEMBER 11, 2017 BY APPLICANT; Dec 11, 2017 The public hearing was closed on Board Member Bryan King motion to Postpone Indefinitely, Board Member second on a 10-1 vote (Board member William Burkhardt nay); POSTPONED INDEFINITELY (UNTIL ENVIRONMENTAL BOARD HAS MADE A RULING).

**RENOTICE: JUNE 11, 2018** The applicant has requested variance(s) from Section 25-2-1176 (Site Development Regulations for Docks, Marinas, and Other Lakefront Uses) (A) (1) to increase the distance a dock may extend from the shoreline from 30 feet (required/permitted) to 60 feet (requested) in order to construct a new dock in an "LA", Lake Austin zoning district.



**BOARD'S DECISION:** June 11, 2018 POSTPONED TO AUGUST 13, 2018 BY APPLICANT

**RENOTICE:** Aug 13, 2018 The applicant has requested variance(s) from Section 25-2-1176 (Site Development Regulations for Docks, Marinas, and Other Lakefront Uses) (A) (1) to increase the distance a dock may extend from the shoreline from 30 feet (required/permitted) to 60 feet (requested) in order to construct a new dock in an "LA", Lake Austin zoning district.

**BOARD'S DECISION:** Aug 13, 2018 ACTION TABLED AT APPLICANT REQUEST;

**RENOTICE:** MAY 13, 2019 The applicant has requested variance(s) from Section 25-2-1176 (Site Development Regulations for Docks, Marinas, and Other Lakefront Uses) (A) (1) to increase the distance a dock may extend from the shoreline from 30 feet (required/permitted) to 67 feet (requested) in order to construct a new dock in an "LA", Lake Austin zoning district.

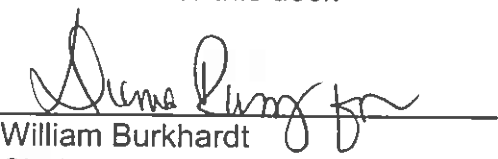
**BOARD'S DECISION:** MAY 13, 2019 The public hearing was closed by Chair William Burkhardt, Board Member Michael Von Ohlen motion to Grant, Board Member Melissa Hawthorne second on an 11-0 vote; **GRANTED.**

**EXPIRATION DATE:** MAY 13, 2020

**FINDING:**

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: existing regulations limit both dock extension into the lake and the quantity of allowed dredge, in order to abide by the dredge limit and have a navigable dock, the dock has to be pushed further into the lake and deeper water.
2. (a) The hardship for which the variance is requested is unique to the property in that: the property has extremely shallow water near the shoreline  
(b) The hardship is not general to the area in which the property is located because: the vast majority of dock sites on the lake can be accessed by following current code, this property cannot.
3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because: the variance will not alter the character of the area, the adjacent property owner's dock extends further into the lake than the proposed location for this dock

  
Elaine Ramirez  
Executive Liaison

  
William Burkhardt  
Chairman

**CITY OF AUSTIN**  
**Board of Adjustment/Sign Review Board**  
**Decision Sheet**

**DATE:** Monday, November 9, 2015

**CASE NUMBER:** C15-2015-0151

☐ Y ☐ Brooke Bailey  
☐ - ☐ Michael Benaglio (OUT)  
☐ Y ☐ William Burkhardt  
☐ Y ☐ Eric Goff  
☐ Y ☐ Kelly Blume  
☐ Y ☐ Melissa Hawthorne **2<sup>nd</sup> the Motion**  
☐ Y ☐ Don Leighton-Burwell  
☐ Y ☐ Melissa Neslund  
☐ Y ☐ James Valadez  
☐ Y ☐ Michael Von Ohlen **Motion to Grant**

**APPLICANT:** Bruce S. Aupperle, P.E.

**OWNER:** Kirk Massey

**ADDRESS:** 6706 ELFLAND DR Bldg BD

**VARIANCE REQUESTED:** The applicant has requested a variance(s) to:

**A.** Section 25-2-1176 (A) (5) (Site Development Regulations for Docks, Marinas, and Other Lakefront Uses) to increase the size of a dock from 1,200 square feet (required/permitted) to 1,522 square feet (requested, 1,772 square feet existing); and to

**B.** Section 25-2-893 (Accessory Uses for Principal Residential Use) (G) (4) to increase the number of docks permitted for principal residential use from not more than one (required/permitted) to 3 (requested, 2 existing) in order to erect a new boat dock and reconstruct two existing docks in an "LA", Lake Austin zoning district.

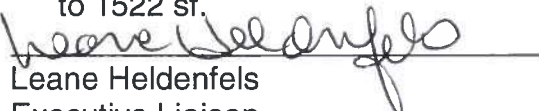
**BOARD'S DECISION:** The public hearing was closed on Board Member Michael Von Ohlen motion to Grant, Board Member Melissa Hawthorne second on a 9-0 vote; **GRANTED.**

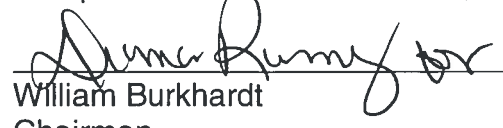
**FINDING:**

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: new zoning related dock regulations would require the removal of a substantial portion of the existing dockage
2. (a) The hardship for which the variance is requested is unique to the property in that: single residential home was developed by joining of two residential houses, existing docks remain from those two residences, applicant would like to maintain the existing downstream docks and rebuild the failing upstream dock, overall dock footprint and width will be reduced from the existing values

(b) The hardship is not general to the area in which the property is located because: there is no known lake side development where two houses were joined into a single residential home with existing docks in place

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because: all dockage was constructed with the original two houses, the overall dockage will be reduced in footprint and width, total dockage footprint will be reduced from 1,772 sf to 1522 sf.

  
Leane Heldenfels  
Executive Liaison

  
William Burkhardt  
Chairman



**CITY OF AUSTIN  
Board of Adjustment  
Decision Sheet**

**DATE: Monday July 9, 2018**

**CASE NUMBER: C15-2018-0009**

☒ Y ☐ Brooke Bailey  
☒ Y ☐ William Burkhardt  
☒ Y ☐ Christopher Covo  
☒ Y ☐ Eric Goff  
☒ Y ☐ Melissa Hawthorne  
☒ Y ☐ Bryan King  
☒ N ☐ Don Leighton-Burwell  
☒ - ☐ Rahm McDaniel OUT  
☒ Y ☐ Veronica Rivera  
☒ Y ☐ James Valadez  
☒ Y ☐ Michael Von Ohlen  
☒ Y ☐ Kelly Blume (Alternate)  
☒ - ☐ Martha Gonzalez (Alternate)  
☒ - ☐ Pim Mayo (Alternate)

**APPLICANT: David Cancialosi**

**OWNER: Phillip Cameron**

**ADDRESS: 6705 PIXIE CV**

**VARIANCE REQUESTED:** The applicant has requested variance(s) to Section 25-2-551 (Lake Austin District Regulations) (C) (3) (a) to increase the maximum impervious cover on a slope with a gradient of 15 percent or less from 35 percent or 3,814 square feet (required, permitted) to 50 percent or 5,450 square feet (requested, 53.1 percent or 5,792 square feet existing) in order to reconstruct a single family residence and covered patio area and add a swimming pool in a "LA", Lake Austin zoning district.

**Note:** This section of the Land Development Code applies to lots that are included in a subdivision plat recorded before April 22, 1982 or on a tract that is not required to be platted.

**BOARD'S DECISION: March 12, 2018 POSTPONED TO APRIL 9, 2018  
RENOTIFICATION REQUIRED**

**RENOTIFICATION: VARIANCE REQUEST:** The applicant has requested variance(s) to:

**A.** Section 25-2-492 (d) to decrease the required side yard setback from 10 feet (required) to 4 feet 10 inches (requested, existing); and to

**B.** Section 25-2-551 (B) (1) (b) to decrease the shoreline setback from 25 feet (required) to 14 feet 6 inches (requested, existing); and to

**C.** Section 25-2-551 (Lake Austin District Regulations) (C) (3) (a) to increase the maximum impervious cover on a slope with a gradient of 15 percent or less from 35 percent (required, permitted) to 52.5 percent (requested, 56 percent existing)